Federal Communications Commission 9300 East Hampton Drive Capitol Heights, MD 20743

3/27/06 To Whom It May Concern: RECEIVED & INSPECTED

MAR 2 8 2006

FCC - MAILIROOM

I will be very brief in my petition for exemption from closed captioning the program I produce under the rules for 'undue burden'. I think brevity is appropriate considering my financial constraints and the inability to afford a lawyer to elaborate in legalese.

In addressing the criteria for exemption in your website I will move point by point;

The nature and cost – I do not understand the nature part but the costs are prohibitive when considering the costs associated with producing the show and my contracted revenue source (see attached contract with program sponsor and associated contracts for air-time on the network, cross promotion on the radio, my tax return for 2005 and the substantial loss from which I am trying to dig myself). When you add the lowest price for closed captioning I could find (also attached) to that of talent expense \$2600/yr, an associate producer \$20,000/yr and miscellaneous expenses I can barely get by.

Itemized:

Contract for show = \$104,000

Air time

= \$39,780

Radio promotion = \$8,000

Associate producer = \$20,000

Talent

= \$2,600

Additional Software

And miscellaneous = \$3.500

My possible gross/net revenues = \$30.120 and this is to write, edit, shoot et al...

To add the expense of closed captioning at the best rate would be quite significant  $26 \times $256 = $6,656$  this represents more than 20% of my efforts.

I am a small sole proprietor with diverse skills able to maximize profits from small budgets but to add an expense, which I was unaware of, is certainly an *undue burden*. (I do not claim ignorance as a defense and will submit further quotes to potential clients with additional budget for 'closed captions')

The program I produce 'Coastal Empire Exteriors' Home Improvement Time' (airing locally in Savannah on NBC) already includes many supportive graphics to emphasize the points made audibly. The program is designed to educate consumers about home improvements and directs them to providers and services of the fairest nature.

I hope when the attached materials are reviewed and my situation is considered that I have met the criteria for an 'undue burden' exemption.

I humbly make this petition

Regards,

John Beer 912-920-4568

12609 Mercy Blvd.

Savannah, GA 31419

PS: all pertinent materials are attached as suggested in your website

March 27, 2006

To Whom It May Concern:

The attached materials are sworn to be true and accurate as sworn to by:

John Baer Synergy Date:

LINDA CHEEVER
Notary Public Chatham County GA
My Commission Expires October 16, 200

# Service Agreement between Synergy Projects International, LLC and Coastal Empire Exteriors for

### Synergistic Integrated Marketing Package

This document serves as the agreement between Synergy Projects International, LLC, DBA Synergy, 12609 Mercy Blvd., Savannah, GA 31419-2057 and Coastal Empire Exteriors (CEE), 12127 Apache Ave., Savannah, GA 31419, December 16, 2005.

Synergy agrees to provide:

1. A weekly half hour television program titled "Home Improvement Time" presented as Coastal Empire Exteriors' Home Improvement Time to air on the Savannah NBC affiliate WSAV, on Saturdays from 6:30 - 7:00 AM (lead in program "Bob Villa" lead out program "The Today Show") and Sundays from 6:30 - 7:00 AM (lead in program "Rebecca's Garden" and lead out "The Today Show") beginning February 4, 2006 totaling 104 airings. Synergy will produce 26 (twenty-six) one half hour programs for this agreement

AIRINGS

- 2. Up to ten promotional spots per week airing at the BTA (best times available) on WSAV
- 3. Radio cross promotion through WRHQ, 105.3 FM to include:
  - Radio personalities to host the TV show
  - Up to 20 prerecorded promotional announcements weekly BTA
  - Chatter by host personalities during their radio shifts
- 4. Print cross promotion through Savannah Morning News
  - Up to a full page of print on a weekly basis
- 5. A designated website for the program <u>www.homeimprovementtime.tv</u>

28 Collects

#### Coastal Empire Exteriors agrees to provide:

1. Access to program content material

DATE

2. Payment of \$104,000.00 based on the following payment schedule:

	DAIC	VIDO775	WOON!	2- 5,000
	January 1, 2006	Advance production costs	2L \$10,00	DDD 47
	February 1, 2006	8 times	× -\$8,00	UAUUa
	March 1, 2006	8 times	\$8,00	0.00 Feb 3
_	April 1, 2006	10 times	<b>♀</b> \$10,00	0.00 Feb 13 4000
	May 1, 2006	8 times	\$8,00	
	June 1, 2006	8 times	\$8,00	n no
	July 1, 2006	10 times	\$10,0Ò	0.00 maris 5000
	August 1, 2006	8 times	\$8,00	0.00
	September 1, 2006	8 times	\$8,00	0.00
	October 1, 2006	10 times	\$10,00	0.00
ĺ	November 1, 2006	8 times	\$5,00	0.00
	December 1, 2006	10 times	\$5,00	0.00
1	January 1, 2007	8 times	\$6,00	0.00
ď	TOTALS	104 airings	\$104,00	0.00

AMOUNT

Cancellation:

If either party (Synergy or CEE) deems necessary this agreement can be cancelled with four-week notice once deliverables are met.

Below signatures acknowledge agreement to the above. Synergy: John Baer Coastal Embire Exteriors:

CEE Agreement December 16, 2005

# Home Improvement Television 2006 Paid Programming Agreement 12/16/05

Start date: Saturday 2/4/06 End date: Sunday 1/28/07

WSAV TV agrees to air the Home Improvement Television home show each week for a period of 52 weeks as follows:

o Saturday 6:30-7A o Sunday 6:30-7A

The \*current lead-in and lead-out for these programs are as follows:

- o Bob Villa Saturday 6-6:30A
- o The Saturday Today Show 7-9A
- Rebecca's Garden 6-6:30A
- The Sunday Today Show 7-8A

In addition, WSAV will air (8-10):30 second run of station, tune-in promotional messages each week as available. Promotional announcements will be provided by Synergy on behalf of Home Improvement Television.

All production elements are to be delivered to WSAV by Synergy or their representative a minimum of 4 days prior to each airing for review and approval by station management.

Payments will be made 4 in advance with the first payment due by 1/17/06 for the Saturday February  $4^{th}$  and Sunday February  $5^{th}$  airings.

Weekly Investment: \$900 gross 52 week total: \$46,800 \$39,780 net

WSAV TV

Approved:		Date: 10/10/05
	Synergy Advertising/Production	<i>i</i>
Approved:	Coloni Herry Ser	Date: 19/01/05

<sup>\*</sup> Lead-in and lead-out programming may vary and is the sole discretion of WSAV TV. Home Improvement Television will be notified if program changes are for more than 3 consecutive weeks.



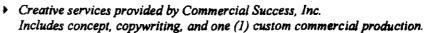
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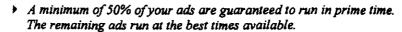
2006

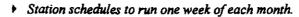


## The Advantage Plan

- Campaign period: January 2006 through December 2006.
- 60% off standard rates.
- Marketing consultation and account services.

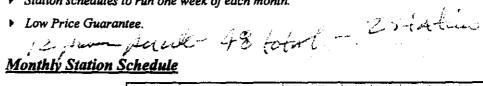












	M	T	W	Th	F	S	Su
5:00AM - 9:00PM	<		-10x	per	stat	ion	>
5:00AM - Midnight	<_	3	-18x	per	stat	on-	>



Includes Your Choice of 4 FM Stations plus ESPN 1130 AM:

















Zotal 100:60 second commercials each month

Value , much by Chart Secret 10 Polal Monthly Value

Total Monthly Discount

Total Monthly Investment

8 999



Customized Jingle Package by Commercial Success for only \$1,200. (Fee due prior to production and is 50% refundable if Jingle is not accepted by advertiser)

Two Hour Live Remote Broadcast FREE with each additional package purchased. (station & dates subject to availability, talent/engineering fees not included)

My total investment is \$ 444 per month for a total of \$ 8000 over 12 months, billed monthly.

Low Price Guarantee: Adventure Radio Group guarantees that this will be the lowest price offered over the next twelve months. If at any time during this period you receive a written proposal from these stations offering a lower price from these stations, we will match the offer for that month.

Terms: Net 30 days. Subject to credit approval. Non-cancelable/non-transferable agreement. In the event of non-performance, Adventure Radio Group reserves the right to re-bill the Advertises for the uncarned discount of \$1,499/month for the number of months the Advantuse Plan accounts can



## Bid #: 2098

03/24/06 Page 1 of 1

256.00

## Job #: 10062 / Synergy Advertising Productions 30 min mini dv, roll up CC to mini dv 30 min roll up CC mini DV, home improvment show

Bid Date: 03/24/06

Visual Data Media Services, Inc. 145 West Magnolia

Burbank, CA 91502 Office: 818-558-3363 Fax: 818-846-1523

1	1. Ea	180.00		256.00
1	1. Ea	100.00		
		100.00	180.00	180.00
1	1. Ea	51.00	51.00	51.00
1	1. Ea	25.00	25.00	25.00
			Summary:	
		Home impro	vement Time	256.00
			1 1. Ea 25.00	1 1. Ea 25.00 25.00

**Bid Total:** 

•	Virginia Part- Year Res	ident Income Tax F	Return	2005
Due May 1, 2006		_ast Name		our Social Security Number
Check Applicab		<del></del>		• B
Amended Retu	n - '	Lest Name		Spouse's Social Security No.
of NOL	Present Home Address (Number and Street or Rural Route)			For Office Use
Fixed Date Conformity	12609 MERCY BLVD			•
Modifications	City, Town, or Post Office, and State	ZiP Code		
Qual, Farmer,	SAVANNAH GA	31419		•
Merchant Seen	Name of Virginia City or County Where You Were A Resident or		σ	Locality Code from Instructions
Overseas on Di Date		City or	_	• 059
1	Dates of residence You-From 01/01/2005 To 05/			To
CTEDA		EXEMPTIONS		/ year month / day / year
STEP 1	FILING STATUS (CHECK ONLY ONE)	Total Section	1 65 or overBlind	Total Section 2
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Filing	21 (Even if only one had income)   2   T     =	X \$900 = \$	_   _ +	×\$800 = \$
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Enter	Spouse's full name			
your	4 Married Filing Separately Column B: Yourself 1 + =	X \$900 = \$	<b>ᆜ</b> ┞┞	2 = 0082X
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-	may result in less tax than Filing Status 2 (see instructions).	Use the su	m when comple	ting Line 12
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<b>.</b>	7 Additions from Line 36, Part II, on Page 2			
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to file? S See Line 10	9 Subtractions from Line 45, Part III, on Page 2.			(146,261)
_	0 VIRGINIA ADJUSTED GROSS INCOME (subtract Line 9 from Lin	e 8) 10		3,812
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N 2 Compute	(b) Itemized Deductions from Line 47(c), Part V, on Page 2			1   1   1
	2 Prorated Exemption Amount (See inst to prorate using the Ratio		<u> </u>	† <del>                                    </del>
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R Compute				17 0
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and	(g ) Credits from attached Schedule CR. If claiming	Political Contribution Cred	itonly,	
Credits	also check box. (See instructions)		ى كا	(a)
	(h) Check box if reporting Coalfield Employment Er	nhancement Tax Credit ear	ned in 2005 L	J   '
	19 TOTAL PAYMENTS AND CREDITS [add Lines 18(a) through (g)		<u> </u>	19 201
	20 If Line 17 is larger than Line 19, enter the difference. This is the IN			20
ξ	21 If Line 19 is larger than Line 17, enter the difference. This is the O	VERPAYMENT AMOUNT		21 201
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	23 Amt of overpayment on Line 21 to be CREDITED TO 2006 EST i			
Amount	24 Contributions and Consumer's Use Tax from Schedule NPY, par			24
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or V	26 If you owe tax on Line 20, add Lines 20 and 25 - OR - If Line 21 is			
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65 Additional child tax credit Attach Form 8812 69 Amount peld with request for extension to file (see page 59) 70 Payments from	Schedule EIC.	67 Excess social security and tier 1 RRTA tax withheld (see page 59) . 67		
Amount peid with request for extension to file (see page 59)  70 Payments from:  8   Farm 2439   Farm 4138   Form 8886   79    71   Mai Im 64   See A 87 (bluesh 76   blees are your latin beaments   71   1   1   1   1   1    72   If file 7 1 is more than line 63, subtract line 63 from line 7 1 This is the amount you overpaid   72   1   1   1    73   Amount of line 72 you want refunded to your    8   Routing number   XXXXXXXXX   E   C Type:   Streeting    9   Account number   XXXXXXXXXXX   E   C Type:   Streeting    74   Amount of line 72 you want applied to your 2006 estimated tax    75   Amount you owe. Subtract line 71 from line 63. For details on how to pay, see page 60    76   Estimated tax penalty (see page 60)    77   Amount of line 72 you want to allow another person to discuss this return with the IRS (see page 61)    78   Yes. Complete the following    79   Personal ID number    8   Farm 4128   E   Form 8886    8   Farm 4128   E   Form 8886    79    70   This is the amount you overpaid    71   1   1   1   1    72   1   1   1    73   1   1   1    74   This is the amount you overpaid    75   Amount of line 72 you want refunded to your 2006 estimated tax    74   Amount of line 72 you want applied to your 2006 estimated tax    75   Amount of line 72 you want applied to your 2006 estimated tax    76   Day our want to allow another person to discuss this return with the IRS (see page 61)    76   Day our want to allow another person to discuss this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than tax payer) is based on all information of which preparer has any knowledge and stell line of the part of the part of the true tax    8   Proparer    9   Proparer				
70 Payments from: e   Ferm #13# b   Ferm #13# c   Form \$856 79    71 Add in the \$6. \$66 A 87 interest 29 interest		<del></del>		
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ou Owe  76 Estimated tax penalty (see page 60)  778  Do you want to allow another person to discuss this return with the IRS (see page 61)?  Designee's name  Phone no.  Personal ID number  Pour Date ID number  Pour Date ID number  Pour Date ID n				9
Do you want to allow another person to discuss this return with the IRS (see page 61)?  Designee's name  HR BLOCK  Under pensities of perjury, I declars that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpeyer) is based on all information of which preparer has any knowledge.  Your signature  Date  Preparer's  Spouse's signature. If a joint return, both must sign.  Date  Check if  2/15/2006 self- employed  Firm's name (or A H AND R BLOCK EASTERN ENTERPRISES TEIN			75	
Designee's name  HR BLOCK  Under penalties of perjury, I declare that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge.  Your signature  Date  Your occupation  MARKETING MANAC  Spouse's signature. If a joint return, both must sign.  Date  Preparer's  Spouse's soccupation  Date  Check if  2/15/2006; self-employed  Firm's name (or A H AND R BLOCK EASTERN ENTERPRISES TIEIN	on Owe			
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HR BLOCK  Identify  Under pensities of perjury, I declars that I have examined this return and accompanying schedules and statements, and to the best of my knowledge and belief, they are true, correct, and complete. Declaration of preparer (other than tax peyer) is based on all information of which preparer has any knowledge.  Your signature  Date  Your occupation  Daytime phone number	_	Designee's name Phone no.		Persona <u>l ID number</u>
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		address, and ZiPcode" ALEXANDRIA, VA 22304	Phone no. (	703) 751-19(

JOHN K BAER

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SSN

Signature   Sign	PARTI: SCHEDULE OF INCOME AND ADJUSTM	ENTS (See instruction	ns)	- ALLFILERS	MUST COMPLET	E THIS SCHE	DULE -
28 Income:  Niverse stateries, titler and other companies to 20 (49 or 11 mill.)  Niverse stateries, titler and other companies to 20 (49 or 11 mill.)  Niverse stateries, titler and other companies to 20 (49 or 11 mill.)  Niverse stateries, titler and other companies to 20 (40 or 11 mill.)  Niverse stateries, titler and other companies to 20 (40 or 11 mill.)  Niverse stateries, titler and other companies to 20 (40 or 11 mill.)  Niverse stateries, titler and other companies to 20 (40 or 11 mill.)  Niverse stateries, titler and other companies to 20 (40 or 11 mill.)  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies to 20 or 11 mill.  Niverse stateries, titler and other companies.  Niverse stateries, titler and other companies.  Niverse stateries, titler and other companies.  Niverse stateries, titler and	EN						
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31 Ones income adjustments lutrich applications	29 Gross income [add Lines 28 (a), (b) and (c)] 29				(142,449)	3,81	LZ146,261)
22 Aug pross increase all rows 20 least Lines 20 and 31 yr	30 Adjustments to income moving expenses 30						
initive fired date conforminy modifications	31. Other income adjustment's (Attach explanation) $31$						
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35 OTHE ADDITIONS add Lines 33 through 35). Either here and on Line 7 on Page 1 36  PART III - SUBTRACTIONS PROM FEDERAL ADJUSTED GROSS INCOME  7 Special fixed date conformity subtraction  38 3 38 3 4 3 4 3 4 3 4 3 4 3 4 3 4 3 4	•					+	
38 TOTAL SOUTHOMS (and Lines 33 through 35). Enter here and on Line 7 on Page 1   36   37   38   38   39   39			•			<del>                                      </del>	
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43 Distability income received is white a virgence residence and separated on various programme in this of separate assessment as separated and separated for representation in this of separate assessment as separated services and programme in this of separate assessment as separated in the programme in this of separate assessment as separated in the programme in the of separated in the programme in the of separated in the programme in the office of the instruction book for Other Bubble store. Codes  (a) Enter 2 digit code in box  (b) Enter 2 digit code in box  (c) Enter 2 digit code in box  (d) Enter 2 digit code in box  45 TOTAL SUBTRACTIONS: (edd Lines 37 through 44c) Shift have and on Line 9 on Page 1. 45  (146, 261)  PART IV - STANDARD DEDUCTION (the standard deduction must be blemed unless itemated deductions were claimed on your federal return-see instructions)  (b) Fixed date conformity Federal ADLUSTED DROSS INCOME (fetal of Line 32(b), columns A1 + 81 from Part I above) (b) 3, 812  (c) Percentage of full standard deduction above ble jamount shown on Line 46(b) divided by amount shown on Line 46(c) Percentage of full standard deductions above ble jamount shown on Line 46(b) divided by amount shown on Line 46(c) Percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 46(c) percentage of full standard deductions above ble jamount shown on Line 47(c) percentage of full standard deductions above ble jamount shown on Line 47(c) percentage of full standard deduction	42 Social Security and equivalent Tier 1 Retroad R	ielirement Act benefits	sreported as	taxable			
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If using Filing Status 4, you may allocate this amount between husband and wife, as mutually agreed				• •		` ' }	
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Please Sign Here  Your Signature  X  Spouse's signature (if filing status 2 or 4, both must sign.)  X  Preparer's Signature  Preparer's Signature  Preparer's Signature  Note the complete of							
Please Sign Here  Your Signature  X  Spouse's signature (if filing status 2 or 4, both must sign.)  X  Preparer's Signature  Preparer's Signature  Preparer's Signature  Note the complete of	(We), the undersigned, declare under penalty of law that I filing separately on this combined return makes us jointly.	(we) have examined this ind severally liable for the	rin and to the t earnt of tax sho	est of my (our) know own to be due on th	viedge, it is a true, coi is return and any refu	rrect and comple nds will be made	ete rtn. We agree that a payable to us jointly.
Sign Here Signature (If filing status 2 or 4, both must sign.)  Preparer's Signature  Preparer's Signature  Preparer's Signature  Date  Preparer's Phone Number  Preparer's Phone Number  Preparer's FEIN: PTIN: SSI  02/15/2006 (703) 751-1903  Filing Election	Your Signature		e Che	ck if Your Busines			Home Phone Number
Here X Spouse's signature (If filing status 2 or 4, both must sign.)  X Preparer's Signature  Preparer's Signature  Date Check if Decessed  Preparer's Phone Number Preparer's FEIN: PTIN: SSI  Use Only  Firms Name (or Yours If Self-Employed)  Filing Election	1.8		500	(703)		<del></del>	) 920-4568
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	Only	A					Filing Election



3/27/06

TO: John Baer, Synergy Productions FM: David Stagnitto, WSAV-TV

RE: Cost Analysis for Closed Captioning of Home Improvement Time

#### John:

Per your request, here is the analysis and cost breakdown for WSAV to close caption an episode of Home Improvement Time. Since WSAV is not equipped to close caption programming on a regular basis, the process is lengthy, time and labor intensive, and costly.

Step#1: Dub from mini dv master to dvcpro cassette (30 minutes)	75.00			
Step#2: Dub from dvcpro cassette to IVR digital system (30 minutes)	75.00			
Step#3: Transcription to ENPS software (1-1/2 hours)				
(requires one employee typing from program audio)	100.00			
Step#4: Record program w/caption from IVR/ENPS to dvcpro cassette				
(requires use of studio control with 3 employees for 1 hour)	250.00			
Total Cost Per Program				

Please let me know if you need any further information regarding these costs.

Thank you.

David Stagnitto

Program Operations Manager